

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

MATT PASQUINELLI and BRYAN PAYSEN, Individually and on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

HUMBL, LLC, BRIAN FOOTE, JEFFREY HINSHAW, GEORGE SHARP, KAREN GARCIA, and MICHELE RIVERA,

Defendants.

Case No. 1:23-cv-00743-JLH

District Judge Jennifer L. Hall

THE HUMBL DEFENDANTS’ MOTION TO DISMISS THE SECOND AMENDED CLASS ACTION COMPLAINT

Filed: October 30, 2023

Pursuant to Federal Rule of Civil Procedure Rule 12(b)(6), Defendants HUMBL, Inc., Brian Foote, Jeffrey Hinshaw, Karen Garcia, and Michele Rivera (collectively, the “HUMBL Defendants”), through their undersigned counsel, respectfully move this Court for an order dismissing Plaintiffs’ Second Amended Class Action Complaint (D.I. 87) as against the HUMBL Defendants, for failure to state a claim upon which relief can be granted. In support of this motion, the HUMBL Defendants are filing herewith the following:

- “Brief in Support of the HUMBL Defendants’ Motion to Dismiss the Second Amended Class Action Complaint”;
- “Appendix A: Allegedly ‘False and/or Misleading Statements’”; and

- “Declaration of Jeffrey Hinshaw in Support of the HUMBL Defendants’ Motion to Dismiss the Second Amended Class Action Complaint,” together with its attached Exhibits A through K.

A proposed order follows.

Respectfully submitted,

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**[PROPOSED] ORDER ON THE
HUMBL DEFENDANTS'
MOTION TO DISMISS THE
SECOND AMENDED CLASS
ACTION COMPLAINT**

WHEREAS Defendants HUMBL, Inc., Brian Foote, Jeffrey Hinshaw, Karen Garcia, and Michele Rivera (collectively, the “HUMBL Defendants”) moved the Court for an order dismissing the Second Amended Class Action Complaint (the “Motion to Dismiss”) as against the HUMBL Defendants; and

WHEREAS, the Court has considered the briefs, exhibits, and arguments in support of and in opposition to the Motion to Dismiss;

IT IS HEREBY ORDERED, this _____ day of _____, 2025, that the Motion to Dismiss is GRANTED, and, accordingly, all claims in the Second Amended Class Action Complaint against the HUMBL Defendants are hereby DISMISSED WITH PREJUDICE.

District Judge Jennifer L. Hall